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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/988,959	12/11/1997	SURESH JEYACHANDRAN	35.C12418	8222

5514 7590 04/09/2002

FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

POON, KING Y

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 04/09/2002

20

Please find below and/or attached an Office communication concerning this application or proceeding.



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Below is a communication from the EXAMINER in charge of this application

COMMISSIONER OF PATENTS AND TRADEMARKS

ADVISORY ACTION

☒ THE PERIOD FOR RESPONSE:

- a) ☒ is extended to run 5 or continues to run from the date of the final rejection
- b) ☐ expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

☐ Appellant's Brief is due in accordance with 37 CFR 1.192(a).

☒ Applicant's response to the final rejection, filed 3/22/2012 has been considered with the following effect, but it is not deemed to place the application in condition for allowance:

1. ☐ The proposed amendments to the claim and/or specification will not be entered and the final rejection stands because:
- ☐ There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.
  - ☐ They raise new issues that would require further consideration and/or search. (See Note).
  - ☐ They raise the issue of new matter. (See Note).
  - ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
  - ☐ They present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE:

2. ☐ Newly proposed or amended claims would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.
3. ☒ Upon the filing an appeal, the proposed amendment ☒ will be entered ☐ will not be entered and the status of the claims will be as follows:

Claims allowed: \_\_\_\_\_

Claims objected to: \_\_\_\_\_

Claims rejected: 1-24, 26-42, 44-49, 51-75, 77-93, 95-100, 102, 104-106

However,

☐ Applicant's response has overcome the following rejection(s): \_\_\_\_\_

4. ☒ The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because See attachment

5. ☐ The affidavit or exhibit will not be considered because applicant has not shown good and sufficient reasons why it was not earlier presented.

☐ The proposed drawing correction ☐ has ☐ has not been approved by the examiner.

☐ Other

*Gabriel Garcia*  
GABRIEL GARCIA  
PRIMARY EXAMINER

Art Unit: 2624

Attachment

Applicant argues that Cain does not teach determining a response medium depend upon the discriminated type of error, has been considered.

In reply: Column 4, lines 20-30, Cain, teaches to monitor the status of devices and sending the status through E-mail OR Pager. (Response medium) If the system selects a E-mail, the system determines to use E-mail instead of a pager. Column 624 lines 1-20, Cain, further teaches to send a response, when determining the type of error of a device is that the device is missing (stolen or lost), using a wireless response medium.

Applicant argues that claim 89 recites that the re-response addressee or the re-response medium differs between the response and the re-response procedure and that Hayashi's response addressee and medium are fixed.

The examiner does not see the limitation of "the re-response addressee or the re-response medium differs between the response and the re-response procedure." Claim 89 is claiming a re-response address or a re-response medium is different from the determined procedure. An address is a location, a response medium is a tool, and a procedure is a method. Therefore, the address, the medium, and the procedure of Hayashi are all different.

Therefore, the claimed limitations of the finally rejected claims are still meet by the prior art of record.